

ATTACHMENT 13

CONFIDENTIAL INFORMATION UNDER THE PROTECTIVE ORDER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS,)
INC.,)
Plaintiff,)
vs.) No. 5:14-cv-05344-BLF (PSG)
ARISTA NETWORKS,)
INC.,)
Defendant.)

CONFIDENTIAL INFORMATION UNDER THE PROTECTIVE ORDER

VIDEOTAPED DEPOSITION OF ANTHONY J. LI

Palo Alto, CA

Monday, February 1, 2016

Volume I

Reported by: SUSAN F. MAGEE, RPR, CCRR, CLR

CSR No. 11661

JOB No. 2224600

PAGES 1-258

Page 1

CONFIDENTIAL INFORMATION UNDER THE PROTECTIVE ORDER

1 UNITED STATES DISTRICT COURT	1 I N D E X
2 NORTHERN DISTRICT OF CALIFORNIA	2
3 SAN JOSE DIVISION	3 CONFIDENTIAL INFORMATION UNDER THE PROTECTIVE ORDER
4	4 VIDEO DEPOSITION OF ANTHONY J. LI
5 CISCO SYSTEMS,)	5 Volume I
6 INC.,)	6 EXAMINATION BY PAGE
7 Plaintiff,)	7 BY MR. WONG 9
8 vs.) No. 5:14-cv-05344-BIF (PSG)	8 BY MR PAK 191
9 ARISTA NETWORKS,)	9
10 INC.,)	10
11 Defendant.)	11
12	12
13	13
14	14
15 CONFIDENTIAL INFORMATION UNDER THE	15
16 PROTECTIVE ORDER VIDEO DEPOSITION OF ANTHONY J. LI	16
17 taken on behalf of Defendant at WILSON, SONSINI,	17
18 GOODRICH & ROSATI, 601 South California Avenue,	18
19 Palo Alto, CA 94304, beginning at 9:13 a.m. and	19
20 ending at 4:17 p.m. on Monday, February 1, 2016,	20
21 before Susan F. Magee, RPR, CCRR, CLR, Certified	21
22 Shorthand Reporter No. 11661.	22
23	23
24	24
25	25
Page 2	Page 4
1 APPEARANCES:	1 E X H I B I T S
2	2 NUMBER DESCRIPTION PAGE
3 For the Plaintiff:	3
4 QUINN, EMANUEL, URQUHART & SULLIVAN	4 Exhibit 136 LinkedIn Profile (8 pages) 12
5 BY: SEAN PAK, ESQ.	5 Exhibit 137 RFC Table (3 pages) 90
6 50 California Street	6 Exhibit 138 March 1995 RFC 1771, A Border 100
7 22nd Floor	7 Gateway Protocol 4 (BGP-4) (57
8 San Francisco, CA 94111	8 pages)
9 (415) 875-6600	9 Exhibit 139 December 1995 RFC 1887, An 105
10 seanpak@quinnemanuel.com	10 Architecture for IPv6 Unicast
11	11 Address Allocation,
12 For the Defendant:	12 ARISTANDCA00025747-ARISTANDCA
13 KEKER & VAN NEST LLP	13 00025772
14 BY: RYAN WONG, ESQ.	14 Exhibit 140 June 1996 RFC 1966, BGP Route 111
15 BRIAN L. FERRALL, ESQ.	15 Reflection, An Alternative to
16 633 Battery Street	16 Full Mesh IBGP,
17 San Francisco, CA 94111-1809	17 ARISTANDCA00025927-ARISTANDCA
18 (415) 773-6682	18 00025933
19 rwong@kvn.com	19 Exhibit 141 October 2008 RFC 2966, 116
20 bferrall@kvn.com	20 Domain-Wide Prefix Distribution
21	21 with Two-Level IS-IS (16 pages)
22 The Videographer:	22 Exhibit 142 August 1996 RFC 1997, BGP 119
23 JEFREE ANDERSON	23 Communities Attribute,
24	24 ARISTANDCA00026094-ARISTANDCA
25	25 00026098
Page 3	Page 5

CONFIDENTIAL INFORMATION UNDER THE PROTECTIVE ORDER


1	E X H I B I T S (continued)		1	Palo Alto, CA, Monday February 1, 2016	
2	NUMBER DESCRIPTION PAGE		2	9:13 a.m.	
3			3		
4	Exhibit 143 March 1998 RFC 2281, Cisco Hot 124		4	THE VIDEOGRAPHER: Good morning. We're on	
5	Standby Router Protocol (HSRP),		5	the record at 9:13 a.m. on February 1st, 2016. This 09:13:47	
6	ARISTANDCA00026832-ARISTANDCA		6	is the video recorded deposition of -- so sorry. Of	
7	00026848		7	Anthony Li here with our court reporter Susan Magee.	
8	Exhibit 144 E-mail String Containing 143		8	My name is Jefree Anderson. We are here	
9	9/22/92 E-mail from/to Toni Li,		9	from Veritext Legal Solutions at the request of	
10	TS-00000066		10	counsel for the -- defendant or the plaintiff? 09:14:16	
11	Exhibit 145 Procket Networks PRO/8000 163		11	MR. WONG: Defendants.	
12	Series Software Introduction		12	THE VIDEOGRAPHER: For the defendant. This	
13	(144 pages)		13	deposition is being held at Wilson Sonsini at	
14	Exhibit 146 Procket Networks PRO/8000 164		14	601 California Avenue, Palo Alto, California. The	
15	Series IPv6 Routing Protocols		15	caption of this case is Cisco Systems, Incorporated 09:14:31	
16	(180 pages)		16	vs. Arista Networks, Incorporated. The case number	
17	Exhibit 147 Procket Networks PRO/8000 164		17	is 5:14-cv-05344.	
18	Series System Management and		18	Please note that audio and video recording	
19	Operations (604 pages)		19	will take place unless all parties agree to go off	
20	Exhibit 148 Cisco's 6th Supplemental 167		20	the record, and microphones are sensitive and may 09:14:53	
21	Response to Interrogatory NO.		21	pick up whispers, private conversations and cellular	
22	16 and Response to		22	interference; so please be aware of that.	
23	Interrogatory No. 19 Amended		23	Beginning with our noticing attorney,	
24	Exhibit F (45 pages)		24	please state your name and the firm you represent.	
25	Exhibit 149 List of Commands (1 page) 169		25	MR. WONG: Ryan Wong from Keker & Van Nest 09:15:05	
	Page 6			Page 8	
1	E X H I B I T S (continued)		1	for defendant Arista Networks.	
2	NUMBER DESCRIPTION PAGE		2	MR. FERRALL: Brian Ferrall, Keker & Van	
3			3	Nest, also for Arista.	
4	Exhibit 150 1/20/96 E-mail from Toni Li to 183		4	MR. PAK: Sean Pak of Quinn for Cisco.	
5	Bill W., CSI-CLI-00746246		5	THE VIDEOGRAPHER: Thank you. 09:15:16	
6	Exhibit 151 CSCdi14533, CSI-CLI-01339850 185		6	Will the court reporter please swear in the	
7	Exhibit 152 Group of E-mails Containing 239		7	witness.	
8	2/23/1996 E-mail from Tony Li		8		
9	to widmer@cisco.com,		9	ANTHONY J. LI,	
10	CSI-CLI-00746331 -		10	having been administered an oath, was examined and 09:15:19	
11	CSI-CLI-00746347		11	testified as follows:	
12			12		
13			13	EXAMINATION BY MR. WONG	
14			14		
15			15	Q. Good morning, Mr. Li. 09:15:29	
16			16	A. Good morning.	
17			17	Q. Please state your full name.	
18			18	A. Anthony Joseph Li.	
19			19	Q. Do you live in the Bay Area, Mr. Li?	
20			20	A. I do. 09:15:36	
21			21	Q. Please state your home address.	
22			22	A. 1218 Thurston Avenue, Los Altos, California	
23			23	94024.	
24			24	Q. Mr. Li, do you understand that are you	
25			25	testifying here in response to a subpoena in this 09:15:46	
	Page 7			Page 9	

3 (Pages 6 - 9)

CONFIDENTIAL INFORMATION UNDER THE PROTECTIVE ORDER

<p>1 A. That varies. I was a programmer at</p> <p>2 Digital Research working on CPM, so I was a</p> <p>3 developer in that role. Most of the others I was a</p> <p>4 user.</p> <p>5 Q. When were you a programmer at 09:39:12</p> <p>6 Digital Research?</p> <p>7 A. So I had two summer internships, the</p> <p>8 summers of 1982 and 1981.</p> <p>9 Q. What was the command -- strike that.</p> <p>10 Actually, what was the command syntax used 09:39:34</p> <p>11 for CPM?</p> <p>12 A. Again, it was very similar to use -- what</p> <p>13 was used in TOPS-20 and VMS. Again, verb, noun and</p> <p>14 qualifiers.</p> <p>15 Q. What were some of the verbs that were used 09:39:52</p> <p>16 in the command set for CPM?</p> <p>17 A. I'm sorry. I've forgotten.</p> <p>18 Q. Do you recall any of the verbs that were</p> <p>19 used in the command sets for TOPS-20?</p> <p>20 A. Info, show, DIR. I've forgotten most of 09:40:07</p> <p>21 the others.</p> <p>22 Q. You mentioned MS-DOS as one of the command</p> <p>23 line interfaces that you had worked with; correct?</p> <p>24 A. Mm-hmm.</p> <p>25 Q. In what context did you work with MS-DOS? 09:40:30</p> <p style="text-align: right;">Page 26</p>	<p>1 accessible to the system administrator.</p> <p>2 Q. When you say "privileged," what do you mean</p> <p>3 by that?</p> <p>4 A. The system administration and management</p> <p>5 commands are -- cannot be executed by a normal user. 09:42:46</p> <p>6 Q. Were there similar separations of command</p> <p>7 sets in any of the other operating systems that we</p> <p>8 discussed this morning?</p> <p>9 A. Almost all have that kind of separation.</p> <p>10 Q. What -- describe for me the separation in 09:43:08</p> <p>11 command sets that existed in TOPS-20.</p> <p>12 A. As a user of TOPS-20, I don't recall the</p> <p>13 details of the administration commands, so I never</p> <p>14 used them.</p> <p>15 Q. Were the administration commands in TOPS-20 09:43:25</p> <p>16 accessible to you as a user?</p> <p>17 A. No.</p> <p>18 Q. How were command sets separated in VAX/VMS?</p> <p>19 A. Again, there were privileged commands that</p> <p>20 one could use if you were a system administrator. 09:43:46</p> <p>21 Q. Was the term "privileged" a term that you</p> <p>22 came up with, Mr. Li?</p> <p>23 A. No. I'm sure that several of -- I've</p> <p>24 picked that up somewhere, but that is commonly used.</p> <p>25 Q. That is commonly used to describe what? 09:44:14</p> <p style="text-align: right;">Page 28</p>
<p>1 A. Just as a user.</p> <p>2 Q. And that was in the early 1980s?</p> <p>3 A. At some point, yes.</p> <p>4 Q. You also mentioned UNIX as a system that</p> <p>5 you have experience with; correct? 09:40:54</p> <p>6 A. That's correct.</p> <p>7 Q. In what context did you work with the UNIX</p> <p>8 operating system?</p> <p>9 A. I had access to a UNIX system as a user</p> <p>10 starting in 1975. 09:41:03</p> <p>11 Q. Do you know how long UNIX has been in</p> <p>12 existence as an operating system?</p> <p>13 A. No, I don't.</p> <p>14 Q. And how many years did you work with the</p> <p>15 UNIX operating system? 09:41:22</p> <p>16 A. I've been working with it on and off since</p> <p>17 1975.</p> <p>18 Q. Can you describe for me how the UNIX CLI</p> <p>19 worked?</p> <p>20 A. UNIX CLI is, again, a command and 09:42:06</p> <p>21 parameters structure with a verb and then nouns and</p> <p>22 qualifiers behind it.</p> <p>23 Q. Were all commands available to a UNIX user?</p> <p>24 A. There are commands that are not available</p> <p>25 that they are -- they're privileged and only 09:42:33</p> <p style="text-align: right;">Page 27</p>	<p>1 A. Throughout the industry to indicate that</p> <p>2 people -- certain administrators have abilities that</p> <p>3 are past normal users.</p> <p>4 Q. Was the term "privileged" commonly used at</p> <p>5 the time that you were working on VAX/VMS? 09:44:30</p> <p>6 MR. PAK: Objection. Calls for expert</p> <p>7 testimony.</p> <p>8 BY MR. WONG: Q. Just to your</p> <p>9 recollection, Mr. Li.</p> <p>10 A. Yes. 09:44:40</p> <p>11 Q. And what facts are you basing that answer</p> <p>12 on?</p> <p>13 A. I was a system administrator for a VMS</p> <p>14 system.</p> <p>15 Q. Did you use the term "privileged" to 09:44:50</p> <p>16 describe commands that were accessible only to</p> <p>17 system administrators at the time you were working</p> <p>18 on VAX/VMS?</p> <p>19 A. Probably.</p> <p>20 Q. Was it likely that you were using that 09:45:03</p> <p>21 term?</p> <p>22 A. Very likely.</p> <p>23 Q. You mentioned VMCMS. What experience did</p> <p>24 you have working with VMCMS?</p> <p>25 A. So USC maintained, in addition to numerous 09:45:27</p> <p style="text-align: right;">Page 29</p>

CONFIDENTIAL INFORMATION UNDER THE PROTECTIVE ORDER

1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:
4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were administered an oath; that
8 a record of the proceedings was made by me using
9 machine shorthand which was thereafter transcribed
10 under my direction; that the foregoing transcript is
11 a true record of the testimony given.
12 Further, that if the foregoing pertains to
13 the original transcript of a deposition in a Federal
14 Case, before completion of the proceedings, review
15 of the transcript [X] was [] was not requested.
16 I further certify I am neither financially
17 interested in the action nor a relative or employee
18 of any attorney or any party to this action.
19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.
21 Dated: February 3, 2016
22
23
24 
Susan F. Magee
25 CSR No. 11661, RPR, CCRR, CLR

Page 258

66 (Page 258)